

Exhibit A

Tony Russo

From: Amy Nemetz
Sent: Thursday, July 14, 2022 5:19 PM
To: Jeff.Butler@CliffordChance.com; Meredith.George@CliffordChance.com; Ron Krock
Cc: David Elsberg; Maria Ginzburg; Jordan Goldstein; Joshua Margolin; David Flugman; Meredith Nelson; Julie Singer; Samuel Kwak; Dominic Budetti; Tony Russo; Max Siegel
Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Jeff,

Confirming that your client did not take steps to preserve pre-2008 emails is not responsive to our questions. Critically, we have no way of knowing whether pre-2008 emails existed when your client's preservation obligations were triggered (whether in 2010 or earlier) and, if so, why your client chose not to preserve them. If you cannot or will not provide this information on behalf of your client, we ask that you agree to a limited Rule 30(b)(6) deposition on the topic of document preservation, which can be conducted in the United States to avoid potential foreign law complications. Please let us know your position no later than Monday July 18th. The Liquidators continue to reserve all rights.

Amy Nemetz

Associate [\[Email\]](#)

Selendy Gay Elsberg PLLC [\[Web\]](#)

Pronouns: she, her, hers

+1 212.390.9325 [O]

+1 440.759.0446 [M]

From: Jeff.Butler@CliffordChance.com <Jeff.Butler@CliffordChance.com>
Sent: Wednesday, July 13, 2022 2:57 PM
To: Amy Nemetz <anemetz@selendygay.com>; Meredith.George@CliffordChance.com; Ron Krock <rkrock@selendygay.com>
Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>
Subject: FW: [EXT] RE: Fairfield // Substantial Completion

Dear Amy,

It has come to my attention that the production made yesterday did not include certain emails which were meant to be included. Please find attached an additional production labelled BIL000105 to BIL000504.

Regards, JB

Jeff E. Butler
CLIFFORD CHANCE US LLP
31 West 52nd Street
New York, NY 10019

Tel: +1 212-878-8205

jeff.butler@cliffordchance.com

From: Butler, Jeff E. (Litigation-NY)

Sent: Tuesday, July 12, 2022 6:32 PM

To: 'Amy Nemetz' <anemetz@selendygay.com>; George, Meredith (Litigation-NY)

<Meredith.George@CliffordChance.com>; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein

<jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman

<dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>;

Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo

<trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Dear Amy,

Please see attached a supplemental production of "due diligence" type documents relating to Fairfield.

With respect to your request for an explanation for why pre-2008 email files for a long list of individuals are not available in searchable form, I can only tell you that BIL took reasonable steps to preserve potentially relevant documents when it became aware of these cases in the latter part of 2010, and such steps did not include keeping all pre-2008 email files. As you know, BIL did preserve pre-2008 emails relevant to the specific redemption (and earlier subscription) at issue, as such emails have already been produced to you.

Regards, JB

Jeff E. Butler

CLIFFORD CHANCE US LLP

31 West 52nd Street

New York, NY 10019

Tel: +1 212-878-8205

jeff.butler@cliffordchance.com

From: Amy Nemetz <anemetz@selendygay.com>

Sent: Tuesday, July 12, 2022 10:29 AM

To: Butler, Jeff E. (Litigation-NY) <Jeff.Butler@CliffordChance.com>; George, Meredith (Litigation-NY)

<Meredith.George@CliffordChance.com>; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein

<jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman

<dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>;

Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo

<trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Jeff,

Following up on my email below, we still have not received an explanation of why BIL does not have access to pre-2008 emails. This is extremely concerning given the potential spoliation issues described in my email below. We also did not receive your supplemental production of diligence materials last week – please tell us as soon as possible when we can expect that.

The Liquidators reserve all rights. If we do not hear from you by this Thursday, July 14th, the Liquidators will consider raising these issues with Judge Morris.

Amy Nemetz

Associate [\[Email\]](#)

Selendy Gay Elsberg PLLC [\[Web\]](#)

Pronouns: she, her, hers

+1 212.390.9325 [O]

+1 440.759.0446 [M]

From: Amy Nemetz <anemetz@selendygay.com>

Sent: Thursday, June 30, 2022 4:11 PM

To: Jeff.Butler@CliffordChance.com; Meredith.George@CliffordChance.com; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: Re: [EXT] RE: Fairfield // Substantial Completion

Jeff,

Thank you for your responses. We appreciate your offer to produce due diligence materials next week.

We need to better understand the basis for your statements that pre-2008 emails are not available. BIL was obligated to preserve all potentially relevant evidence *no later than* May 2011 when it was named as a defendant in these actions (10-ap-3635 [ECF No. 86], 10-ap-3636 [ECF No. 87]); BIL's preservation obligations could have started much earlier, possibly in 2008 when Bernie Madoff admitted that his entire investment scheme was a fraud, because litigation was reasonably foreseeable at that time. See Fed. R. Civ. P. 37(e), 2015 advisory committee note ("potential litigants have a duty to preserve relevant information when litigation is reasonably foreseeable."). In light of the fact that the substantial completion deadline is today, please tell us no later than July 8th when and why BIL's pre-2008 emails were destroyed or otherwise made unavailable for discovery. The Liquidators reserve all rights.

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From: Jeff.Butler@CliffordChance.com <Jeff.Butler@CliffordChance.com>

Sent: Thursday, June 30, 2022 4:59:30 AM

To: Amy Nemetz <anemetz@selendygay.com>; Meredith.George@CliffordChance.com <Meredith.George@CliffordChance.com>; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Dear Amy,

We have been working with BIL to research the various additional requests you have made and can provide the following responses:

1. BIL does not have access to individual email boxes dating back to 2008 and before. Instead, emails relevant to individual subscriptions and redemptions were maintained in transaction files, which have been preserved. As you know, we have already produced those transaction files for the subscription and redemption at issue.
2. BIL has not been able to find records showing the nature of the generic email addresses you have identified. In any event, it would not have email boxes for these addresses dating back to 2008 and before.
3. In connection with the Fairfield actions, BIL took steps to gather potentially relevant electronic documents and to preserve them in a file location maintained by the legal department. BIL has searched this file location for due diligence materials concerning Fairfield and has located some documents through that search. We are willing to produce those documents and should be able to do so next week.

Regards, JB

Jeff E. Butler
CLIFFORD CHANCE US LLP
31 West 52nd Street
New York, NY 10019
Tel: +1 212-878-8205
jeff.butler@cliffordchance.com

From: Amy Nemetz <anemetz@selendygay.com>
Sent: Wednesday, June 29, 2022 1:56 PM
To: Butler, Jeff E. (Litigation-NY) <Jeff.Butler@CliffordChance.com>; George, Meredith (Litigation-NY) <Meredith.George@CliffordChance.com>; Ron Krock <rkrock@selendygay.com>
Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>
Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Jeff,

We sent our email collection proposal to you a month ago and have received no response to any aspect of it, which is particularly surprising given tomorrow's substantial completion deadline for email production. If we do not receive your client's positions on email searches and production by noon tomorrow, the Liquidators reserve their rights to seek prompt relief from the Court.

From: Amy Nemetz
Sent: Monday, June 27, 2022 9:52 AM
To: Jeff.Butler@CliffordChance.com; Meredith.George@CliffordChance.com; Ron Krock <rkrock@selendygay.com>
Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo

<trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Jeff and Meredith – please provide us with your response to our proposal, which we discussed nearly a month ago.

From: Amy Nemetz <anemetz@selendygay.com>

Sent: Friday, June 17, 2022 6:35 PM

To: Jeff.Butler@CliffordChance.com; Meredith.George@CliffordChance.com; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein

<jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman

<dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>;

Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo

<trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: Re: [EXT] RE: Fairfield // Substantial Completion

Hi Jeff - following up on the below as we still do not have any response to our May 31st proposal.

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From: Jeff.Butler@CliffordChance.com <Jeff.Butler@CliffordChance.com>

Sent: Thursday, June 9, 2022 4:51 PM

To: Amy Nemetz <anemetz@selendygay.com>; Meredith.George@CliffordChance.com

<Meredith.George@CliffordChance.com>; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein

<jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman

<dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>;

Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo

<trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Hi Amy,

We have discussed these requests with BIL, but we do not have responses for you yet. We anticipate having more information for you next week.

Regards, JB

Jeff E. Butler

CLIFFORD CHANCE US LLP

31 West 52nd Street

New York, NY 10019

Tel: +1 212-878-8205

jeff.butler@cliffordchance.com

From: Amy Nemetz <anemetz@selendygay.com>

Sent: Wednesday, June 8, 2022 3:41 PM

To: Butler, Jeff E. (Litigation-NY) <Jeff.Butler@CliffordChance.com>; George, Meredith (Litigation-NY)

<Meredith.George@CliffordChance.com>; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein

<jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman

<dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>;

Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Jeff, following up on my email below. Please let us know when we can expect a response. Thanks.

From: Amy Nemetz

Sent: Tuesday, May 31, 2022 9:45 AM

To: Jeff.Butler@CliffordChance.com; Meredith.George@CliffordChance.com; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein

<jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman

<dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>;

Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo

<trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Jeff and Meredith,

Thanks again for the call yesterday. We appreciate your client's willingness to consider producing additional information in response to our requests. Below please find our specific proposals and questions regarding additional discovery for Dexia BIL.

1. Emails

- a. Please tell us if your client preserved emails for the following custodians during the time frame 2000-2008:

- Marie-Claire Meyers (*e.g.*, BIL000001, -12)
- Sandy Goergen (*e.g.*, BIL000005)
- Jeannot Reiter (*e.g.*, BIL000005)
- Marie-Rose Biver (*e.g.*, BIL000035)
- Linda Bernard (*e.g.*, BIL000005)
- Maria Totaro (*e.g.*, BIL000011)
- Karine [no last name listed] (*e.g.*, BIL000011)
- Marco Mersch (*e.g.*, BIL000027)
- Valerie [no last name listed] (Back Office) (*e.g.*, BIL000030, -39)
- Sabrina Tosti (*e.g.*, BIL000035)
- Marie-Anne Salentiny (*e.g.*, BIL000021, -39)
- Chantal Reyter (*e.g.*, BIL000037)
- Sabine Van Zanten (*e.g.*, BIL000039)
- Audrey Zielkowski (*e.g.*, BIL000039)
- Barbara Doering (*e.g.*, BIL000052)
- Monique Kutten (*e.g.*, BIL000058)
- Michelle Hawe (*e.g.*, BIL000074)

- b. We noticed some generic email recipients in BIL's productions – please tell us whether the following refer to general email inboxes or were listservs of individual employees:
- “Reconciliation Cash” (e.g., BIL000035)
 - “Brokerage Funds” (e.g., BIL000035; BIL000047)
 - “Reconciliation Securities” (e.g., BIL000058)
- c. Please tell us if your client is willing to review and produce emails from these custodians and general inboxes (assuming that's what they are) which hit on the following search terms:

BLMIS-Related Terms

BLM*

BLMIS*

BMIS*

Madoff*

Bernie w/50 Fairfield

“split-strike” OR “split strike” OR “conversion strategy” OR SSC

Fund-Related Terms

Sentry

Sigma

Lambda

Fairfield* OR FGG OR FSL

Greenwich

“Fund Documents”

103577 (Dexia Banque International Citco account number)

Agency-Related Terms

(Instruct* OR Agent OR Agency) w/30 (Redemption* OR Redeem* OR Subscription* OR
Subscrib* OR Invest* OR Transfer* OR Switch*)

Correspondent Account Terms

HSBC w/10 (“New York” OR “NA”)

MRMDUS33

Diligence and Marketing Materials: Please tell us if your client is willing to search its deal files for the following transactions in the Funds and produce any due diligence, marketing materials, private placement memoranda, or other information relating to BIL's knowledge of the Funds and their operations during the relevant time period:

- 8/1/2000 Sigma subscription

- 8/29/2001 Sentry subscription
- 12/28/2001 Sentry subscription
- 7/25/2002 Sentry subscription
- 8/23/2002 Sentry subscription
- 9/24/2002 Sentry subscription
- 11/13/2002 Sentry redemption
- 2/14/2003 Sentry redemption
- 11/16/2004 Sentry redemption
- 1/26/2005 Sentry subscription
- 4/29/2005 Sentry subscription
- 5/31/2005 Sentry subscription
- 11/17/2005 Sentry redemption
- 7/28/2006 Sentry subscription
- 7/31/2006 Sentry subscription
- 8/31/2006 Sentry subscription
- 9/29/2006 Sentry subscription
- 11/30/2006 Sentry subscription
- 12/29/2006 Sentry subscription
- 1/26/2007 Sentry subscription
- 1/31/2007 Sentry subscription
- 2/28/2007 Sentry subscription
- 4/17/2007 Sentry redemption
- 7/25/2007 Sentry subscription
- 12/18/2007 Sigma redemption
- 8/18/2008 Sentry redemption
- 8/15/2008 Sigma redemption

- 11/19/2008 Sentry redemption

In addition, please tell us if your client is willing to provide updated responses to our interrogatories since your last set of R&Os objected to them wholesale. If your client would prefer to respond to the interrogatories by pointing us to documents in BIL's production, we are happy to consider that as an option.

Thanks,

Amy

From: Amy Nemetz

Sent: Monday, May 23, 2022 10:34 PM

To: Jeff.Butler@CliffordChance.com; Meredith.George@CliffordChance.com; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Thanks, Jeff. We can speak on Wednesday at 3pm and we'll send an invite. We appreciate that your client produced its "deal file" for the transactions at issue, but we'd like to better understand whether there are any other potential repositories of documents or communications in your client's custody, including custodial emails or a general email inbox. If your client can no longer access inboxes for its employees who worked on the relevant transactions, we'd like to understand why that is the case.

From: Jeff.Butler@CliffordChance.com <Jeff.Butler@CliffordChance.com>

Sent: Monday, May 23, 2022 5:05 PM

To: Amy Nemetz <anemetz@selendygay.com>; Meredith.George@CliffordChance.com; Ron Krock <rkrock@selendygay.com>

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Amy,

I am afraid I have been tied up Friday and today. The same will be true tomorrow. Would you be available on Wednesday afternoon? We are generally available beginning at 3pm.

To have a productive call, it would be helpful to know in advance what additional emails and/or other documents you have in mind based on a review of the documents already provided.

Regards, JB

Jeff E. Butler
CLIFFORD CHANCE US LLP
31 West 52nd Street
New York, NY 10019

Tel: +1 212-878-8205

jeff.butler@cliffordchance.com

From: Amy Nemetz <anemetz@selendygay.com>

Sent: Thursday, May 19, 2022 5:24 PM

To: George, Meredith (Litigation-NY) <Meredith.George@CliffordChance.com>; Ron Krock <rkrock@selendygay.com>

Cc: Butler, Jeff E. (Litigation-NY) <Jeff.Butler@CliffordChance.com>; David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>

Subject: Re: [EXT] RE: Fairfield // Substantial Completion

Meredith and Jeff,

We are nearly finished reviewing your client's production and we have some follow-up questions. Appreciating that you do not anticipate producing additional documents on personal jurisdiction issues, we would like to better understand whether there are any other repositories of potentially relevant communications relevant to personal jurisdiction that your client may be willing to search for and produce, including but not limited to emails. Please let us know when you are available for a call tomorrow or on Monday, May 23rd.

Thanks,

Amy

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From: Meredith.George@CliffordChance.com <Meredith.George@CliffordChance.com>

Sent: Friday, May 13, 2022 5:44 PM

To: Ron Krock

Cc: Jeff.Butler@CliffordChance.com; David Elsberg; Maria Ginzburg; Jordan Goldstein; Joshua Margolin; David Flugman; Amy Nemetz; Meredith Nelson; Julie Singer; Samuel Kwak; Dominic Budetti; Tony Russo; Max Siegel

Subject: RE: [EXT] RE: Fairfield // Substantial Completion

Ron,

On behalf of our client Banque Internationale à Luxembourg SA f/k/a Dexia Banque Internationale à Luxembourg ("BIL"), I am responding to your May 6 inquiry.

BIL produced responsive documents relevant to jurisdictional issues on April 15, 2022. At this point, we do not anticipate producing any additional documents pertaining to personal jurisdiction.

Please let me know if you have any further questions.

Best Regards,
Meredith

Meredith George
Associate
Clifford Chance US LLP
31 West 52nd Street

New York, NY 10019

Direct Dial: +1 (212) 878-8163

Mobile: +1 (917) 680-2419

meredith.george@cliffordchance.com

See our Firm's call to action for racial equality [here](#)

From: Ron Krock <rkrock@selendygay.com>

Sent: Wednesday, May 11, 2022 4:30 PM

To: a.frischknecht@chaffetzlindsey.com; acovucci@omm.com; adam.lavine@kobrekim.com; agordon@paulweiss.com; akherring@wlrk.com; amackinnon@cgsh.com; andrew.ditchfield@davispolk.com; andrew.gehring@davispolk.com; Andrew.Grant@chaffetzlindsey.com; andrew.troop@pillsburylaw.com; anthony.paccione@katten.com; armin@harnik.com; avickery@bsflp.com; bacohen@mayerbrown.com; benjamin.loveland@wilmerhale.com; blin@abv.com; blupo@cgsh.com; bresnikoff@mayerbrown.com; callegaert@abv.com; cboccuzzi@cgsh.com; choupt@mayerbrown.com; christian@harnik.com; christopher.harris@lw.com; cjordan@cgsh.com; Corey.Calabrese@lw.com; Dennis.Mai@lw.com; dnegless@paulweiss.com; donna.xu@kobrekim.com; dshamah@omm.com; e.valentine@chaffetzlindsey.com; eakleinhause@wlrk.com; ehalper@mckoolsmith.com; elliott.moskowitz@davispolk.com; eric.fishman@pillsburylaw.com; Gao, Ernie (Litigation-NY) <Ernie.Gao@CliffordChance.com>; Tangherlini, La'Tise (Litigation-WAS) <LaTise.Tangherlini@CliffordChance.com>; evicens@cgsh.com; farrington.yates@kobrekim.com; Finna@sullcrom.com; fstrong@wmd-law.com; george.shuster@wilmerhale.com; gherrmann@gibsondunn.com; glauffer@paulweiss.com; gregory.hauser@wg-law.com; hamburger@winston.com; Jared.Stein@hsf.com; jascha.preuss@wg-law.com; jacraig@abv.com; jdcolavecchio@cgsh.com; Butler, Jeff E. (Litigation-NY) <Jeff.Butler@CliffordChance.com>; jeffrey.resetarits@shearman.com; jhurwitz@paulweiss.com; JInglese@gibsondunn.com; jkay@cgsh.com; Jonathan.cross@hsf.com; justin.lee@wg-law.com; jzulack@abv.com; kblack@cgsh.com; KDashwood@abv.com; keith.dore@davispolk.com; kharan@omm.com; kkelly@mayerbrown.com; laskod@sullcrom.com; lauren.lifland@wilmerhale.com; lpincus@abv.com; lschweitzer@cgsh.com; makarm@sullcrom.com; mark.ciani@katten.com; mclambert@lawpost-nyc.com; mcohen@mayerbrown.com; mdillan@wmd-law.com; George, Meredith (Litigation-NY) <Meredith.George@CliffordChance.com>; mhanchet@mayerbrown.com; michael.senzer@wg-law.com; mking@gibsondunn.com; nasher@omm.com; Nathan.Richardson@kobrekim.com; nbamberger@cgsh.com; Parul.Bhatia@Shearman.com; pbibi@cgsh.com; pmiller@omm.com; rahman.connelly@pillsburylaw.com; randall.martin@shearman.com; richard@cirillo-law.com; rpolan@cgsh.com; rrubin@cgsh.com; Scott.Balber@hsf.com; Scottj@sullcrom.com; stephen@harnik.com; swolowitz@mayerbrown.com; Thomas.Davis@wilmerhale.com; thomas.giblin@lw.com; tkessler@cgsh.com; wmaher@wmd-law.com; wsushon@omm.com; zachary.beal@katten.com
Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Amy Nemetz <anemetz@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>; Marek Krzyzowski (mkrzyzowski@brownrudnick.com) <mkrzyzowski@brownrudnick.com>; David Molton (dmolton@brownrudnick.com) <dmolton@brownrudnick.com>; kdorso@brownrudnick.com

Subject: [EXT] RE: Fairfield // Substantial Completion

Counsel:

As a reminder to those who have not yet responded, please let us know by end of business today whether you will commit to a May 31 substantial completion deadline or otherwise provide us with a detailed explanation for why you believe you cannot meet that deadline and what alternative deadline you propose.

We look forward to your responses.

Best regards,

Ron

From: Ron Krock

Sent: Friday, May 6, 2022 12:07 PM

To: a.frischknecht@chaffetzlindsey.com; acovucci@omm.com; adam.lavine@kobrekim.com; agordon@paulweiss.com; akherring@wlrk.com; amackinnon@cgsh.com; andrew.ditchfield@davispolk.com; andrew.gehring@davispolk.com; Andrew.Grant@chaffetzlindsey.com; andrew.troop@pillsburylaw.com; anthony.paccione@katten.com; armin@harnik.com; avickery@bsfilp.com; bacohen@mayerbrown.com; benjamin.loveland@wilmerhale.com; blin@abv.com; blupo@cgsh.com; bresnikoff@mayerbrown.com; callegaert@abv.com; cboccuzzi@cgsh.com; choupt@mayerbrown.com; christian@harnik.com; christopher.harris@lw.com; cjordan@cgsh.com; Corey.Calabrese@lw.com; Dennis.Mai@lw.com; dnegless@paulweiss.com; donna.xu@kobrekim.com; dshamah@omm.com; e.valentine@chaffetzlindsey.com; eakleinhaus@wlrk.com; ehalper@mckoolsmith.com; elliott.moskowitz@davispolk.com; eric.fishman@pillsburylaw.com; Ernie.Gao@CliffordChance.com; LaTise.Tangherlini@CliffordChance.com; evicens@cgsh.com; farrington.yates@kobrekim.com; Finna@sullcrom.com; fstrong@wmd-law.com; george.shuster@wilmerhale.com; gherrmann@gibsondunn.com; glauffer@paulweiss.com; gregory.hauser@wg-law.com; hlaumberg@winston.com; Jared.Stein@hsf.com; jascha.preuss@wg-law.com; jcraig@abv.com; jcolavecchio@cgsh.com; Jeff.Butler@CliffordChance.com; jeffrey.resetarits@shearman.com; jhurwitz@paulweiss.com; JInglese@gibsondunn.com; jkay@cgsh.com; Jonathan.cross@hsf.com; justin.lee@wg-law.com; jzulack@abv.com; kblack@cgsh.com; KDashwood@abv.com; keith.dore@davispolk.com; kharan@omm.com; kkelly@mayerbrown.com; laskod@sullcrom.com; lauren.lifland@wilmerhale.com; lpincus@abv.com; lschweitzer@cgsh.com; makarm@sullcrom.com; mark.ciani@katten.com; mclambert@lawpost-nyc.com; mcohen@mayerbrown.com; mdillan@wmd-law.com; Meredith.George@CliffordChance.com; mhanchet@mayerbrown.com; michael.senzer@wg-law.com; mking@gibsondunn.com; nasher@omm.com; Nathan.Richardson@kobrekim.com; nbamberger@cgsh.com; Parul.Bhatia@Shearman.com; pbibi@cgsh.com; pmiller@omm.com; rahman.connelly@pillsburylaw.com; randall.martin@shearman.com; richard@cirillo-law.com; rpolan@cgsh.com; rrubin@cgsh.com; Scott.Balber@hsf.com; Scottj@sullcrom.com; stephen@harnik.com; swolowitz@mayerbrown.com; Thomas.Davis@wilmerhale.com; thomas.giblin@lw.com; tkessler@cgsh.com; wmaher@wmd-law.com; wsushon@omm.com; zachary.beal@katten.com

Cc: David Elsberg <delsberg@selendygay.com>; Maria Ginzburg <mginzburg@selendygay.com>; Jordan Goldstein <jgoldstein@selendygay.com>; Joshua Margolin <jmargolin@selendygay.com>; David Flugman <dflugman@selendygay.com>; Amy Nemetz <anemetz@selendygay.com>; Meredith Nelson <mnelson@selendygay.com>; Julie Singer <jsinger@selendygay.com>; Samuel Kwak <skwak@selendygay.com>; Dominic Budetti <dbudetti@selendygay.com>; Tony Russo <trusso@selendygay.com>; Max Siegel <msiegel@selendygay.com>; Marek Krzyzowski (mkrzyzowski@brownrudnick.com) <mkrzyzowski@brownrudnick.com>; David Molton (dmolton@brownrudnick.com) <dmolton@brownrudnick.com>; kdorso@brownrudnick.com

Subject: Fairfield // Substantial Completion

Counsel:

We ask that defendants commit to complete by Tuesday, May 31 all productions responsive to the initial discovery requests the Liquidators served nearly 8 months ago. As you know from our April 21, 2022 letter to Judge Morris, the Liquidators intend to seek an extension of the case schedule to account for delays in receiving the jurisdictional discovery needed to oppose Defendants' pending motions to dismiss. The Liquidators cannot propose dates for an extension without knowing when we will receive the remainder of discovery responsive to our outstanding requests.

Please let us know by next Wednesday, May 11 whether you will commit to that deadline. If you cannot commit to that deadline, please provide us with a detailed written explanation by May 11 for why you believe you cannot meet that deadline and what alternative deadline you propose.

Best regards,

Ron

Ronald J. Krock

Associate [\[Email\]](#)

Selendy Gay Elsberg PLLC [\[Web\]](#)

Pronouns: he, him, his

+1 212.390.9019 [O]

+1 862.324.6789 [M]

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Switchboard: +1 212 878 8000

Fax: +1 212 878 8375

To contact any other office http://www.cliffordchance.com/people_and_places/people.html

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